

DANIEL R. SOLIN (DRS 8675)

401 Broadway
Suite 306
New York, New York 10013
(239) 949-1606
dansolin@yahoo.net

DAVID VALICENTI (DV 9090)

CAIN HIBBARD MYERS & COOK, PC
66 West Street
Pittsfield, Massachusetts 01201
(413) 443-4771
dvalicenti@cainhibbard.com

Co-Counsel for Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DANIEL R. SOLIN, INDIVIDUALLY
AND AS TRUSTEE OF THE DANIEL
R. SOLIN TRUST,

Plaintiffs,

- against -

ANTHONY J. DOMINO, JR. and
THE GUARDIAN INSURANCE &
ANNUITY COMPANY, INC.,

Defendants.

Civil Action No. 08 CV 2837

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the Declaration of Daniel R. Solin and the exhibits thereto, and the accompanying memorandum of law, Plaintiffs will move this Court at a time and date that the Court may direct, at the United States Courthouse located at 300

Quarropas Street, White Plains, New York 10601, for an Order permitting Plaintiffs to add a new party pursuant to Fed. R. Civ. P. 21.

Dated: July 9, 2008

Respectfully submitted,

DANIEL R. SOLIN (DRS 8675)

By: Daniel R. Solin
401 Broadway
Suite 306
New York, New York 10013
(239) 949-1606
dansolin@yahoo.net

By: David Valicenti
DAVID VALICENTI (DV 9090)
CAIN HIBBARD MYERS & COOK
66 West Street
Pittsfield, Massachusetts 01201
(413) 443-4771
dvalicenti@cainhibbard.com

Co-Counsel for Plaintiffs